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JRW

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Confirmation No.: 4380

BRUCHEZ et al.

Serial No.: 09/972,744

Group Art Unit: 1641

Filing Date: October 5, 2001

Examiner: DO, PENSEE T

Title: CELLS HAVING A SPECTRAL SIGNATURE AND METHODS OF
PREPARATIONS AND USE THEREOF

COMMUNICATION

Commissioner for Patents
PO Box 1450
Alexandria, V.A. 22313-1450

Sir:

Applicants mailed a response to the Restriction Requirement dated July 27, 2004 on September 24, 2004 including a Transmittal, an Amendment in Response to Restriction Requirement, a Petition for 1-month Extension of Time, and a Check in the amount of \$55 covering the fee due.


Applicants did not receive the return postcard from the USPTO. In a telephone conversation on December 13, 2004 the Examiner requested that the Applicants submit a duplicate copy of the response to the Office Action as originally mailed.

Applicants submit herewith duplicate copies of the Office Action response and associated documents as originally mailed on September 24, 2004. No fees are believed due with this petition, however, the Commissioner is authorized to charge any fees deemed due for timely consideration of this petition to Deposit Account No. 18-1648.

Atty Dkt No. 5100-0702
USSN: 09/972, 744
PATENT

Respectfully submitted,

Date: 12/14/04

By: 
Roberta L. Robins
Registration No. 33,208

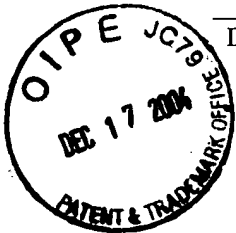
ROBINS & ASSOCIATES
1731 Embarcadero Road, Suite 230
Palo Alto, CA 94303
Telephone: (650) 493-3400
Facsimile: (650) 493-3440

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RESPONSE TO REQUIREMENT FOR RESTRICTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Restriction Requirement dated July 27, 2004 with an initial response due on or before August 27, 2004. Accordingly, applicants request a one-month extension of time from August 27, 2004 to September 27, 2004. A check to cover the \$55 extension fee is attached. The Examiner therein required election of one of the following groups of claims:

Group I. Claims, 1-15, drawn to a micelle comprising semiconductor nanocrystals;

Group II. Claims, 16-49, drawn to a method of distinguishably identifying a cell, and

Group III. Claims, 50-73, drawn to a method for screening modulators of a receptor mediated response in an encoded cell.

Applicants hereby elect to prosecute the claims of Group I, claims 1-15, without traverse. Applicants expressly reserve their right under 35 USC §121 to file one or more divisional applications directed to the nonelected subject matter during the pendency of this application.

Respectfully submitted,

Date: _____

9/24/04

By: _____

Roberta L. Robins
Registration No. 33,208

ROBINS & PASTERNAKL LLP
1731 Embarcadero Road, Suite 230
Palo Alto, CA 94303
Telephone: 650-493-3400
Facsimile: 650-493-3440